SJS 44 (Rev. 11/04)

## **CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating

the ci	vil docket sheet. (SEE IN	STRUCTIONS ON THE REVERSE OF THE FORM.)				
I. (a) PLAINTIFFS				DEFENDANTS		
Brady Skinner and Wesley Luburgh				The New York City Times and Michael Braga		
(b) County of Residence of First Listed Plaintiff Montgomery (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant New York (IN U.S. PLAINTIFF CASES ONLY)		
				NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.		
(c) Attorney's (Firm Name, Address, and Telephone Number)				Attorneys (If Known)		
Steven K. Dankof, Sr., Skilken Lowe & Dankof LLC, 40 North Main Street, Ste. 1500, Dayton OH 45423, 937-223-1500				Sherri B. Lazear, Baker & Hostetler LLP, 65 E. State St., Ste. 2100, Columbus OH 43215, 614.462.2631		
II. E	BASIS OF JURISD	ICTION (Place an "X" in One Box Only)		CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant)		
<b>0</b> I	U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)		P	TF DEF  I Incorporated or P  of Business In Th	PTF DEF Tincipal Place
<b>1</b> 2	U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)	Citiz	en of Another State	2 2 Incorporated and of Business In	•
				en or Subject of a  preign Country	3 Foreign Nation	
IV. NATURE OF SUIT (Place an "X" in One Box Only)  CONTRACT  TORTS  FORFETTURE/PENALTY  BANKRUPTCY  OTHER STATUTES						
120   130   140   150   151   152   153   160   190   196   196   210   220   220   240   245	Insurance Marine Marine Miller Act Negotiable Instrument Recovery of Overpayment & Enforcement of Judgment Medicare Act Recovery of Defaulted Student Loans (Excl. Veterans) Recovery of Overpayment of Veteran's Benefits Stockholders' Suits Other Contract Contract Product Liability Franchise EAL PROPERTY Land Condemnation Forcelosure Rent Lease & Ejectment Torts to Land Tort Product Liability All Other Real Property	PERSONAL INJURY  310 Airplane  315 Airplane Product    Liability  320 Assault, Libel & Slander  330 Federal Employers'    Liability  340 Marine  345 Marine Product    Liability  350 Motor Vehicle    Product Liability  368 Asbestos Personal Injury  PERSONAL INJU  368 Asbestos Personal Injury  PERSONAL PROPE  370 Other Fraud  371 Truth in Lendi  380 Other Personal    Property Dama    Product Liability  360 Other Personal    Injury  PERSONAL PROPE  370 Other Fraud  381 Truth in Lendi  385 Property Dama    Product Liability  360 Other Personal    Injury  PERSONAL INJU  368 Asbestos Personal    Injury Product    Liability  371 Truth in Lendi  385 Property Dama    Product Liability  371 Truth in Lendi  385 Property Dama    Product Liability  385 Property Dama    Product Liability  385 Property Dama    Product Liability  371 Truth in Lendi  385 Property Dama    Product Liability  375 Deam Personal    Sontence  444 Wetfare  445 Amer. w/Disabilities    Employment  446 Amer. w/Disabilities    Other  440 Other Civil Rights	cce   Company   Company	610 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Property 21 USC 881 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health 690 Other LABOR. 710 Fair Labor Standards Act 720 Labor/Mgmt. Relations 730 Labor/Mgmt. Reporting & Disclosure Act 740 Railway Labor Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act	□ 422 Appeal 28 USC 158 □ 423 Withdrawal 28 USC 157  PROPERFY RIGHTS □ 820 Copyrights □ 830 Patent □ 840 Trademark  SOCIAL SECURITY □ 861 HIA (1395ff) □ 862 Black Lung (923) □ 863 DIWC/DIWW (405(g)) □ 864 SSID Title XVI □ 865 RSI (405(g)) □ FEDERAL TAX SWTS □ 870 Taxes (U.S. Plaintiff or Defendant) □ 871 IRS—Third Party 26 USC 7609	400 State Reapportionment   410 Antitrust   430 Banks and Banking   450 Commerce   460 Deportation   470 Racketeer Influenced and Corrupt Organizations   480 Consumer Credit   490 Cable/Sat TV   810 Selective Service   850 Securities/Commodities/Exchange   875 Customer Challenge   12 USC 3410   890 Other Statutory Actions   891 Agricultural Acts   892 Economic Stabilization Act   893 Environmental Matters   894 Energy Allocation Act   900 Appeal of Fee Determination Act   900 Appeal of Fee Determination Under Equal Access to Justice   950 Constitutionality of State Statutes
V. ORIGIN  Original Proceeding  Proceeding  Original State Court  Original Proceeding  Original Proceeding  Original State Court  Original State Court  Original Proceeding  Original Proceeding  Original State Court  Original Proceeding  Original State Court  Original Proceeding  Original State Court  Original Proceeding  Original Proceeding  Original State Court  Original Proceeding  Original State Court  Original Proceeding  Original State Court  Original State Court  Original State Court  Original Proceeding  Original State Court  Origi						
VI. CAUSE OF ACTION  Brief description of cause: diversity; defamation						
VII. REQUESTED IN ☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ CHECK YES only if demanded in complaint:  COMPLAINT: UNDER F.R.C.P. 23 75,000.00 JURY DEMAND: ☑ Yes ☐ No						
VIII. RELATED CASE(S) IF ANY  (See instructions): JUDGE DOCKET NUMBER						
DATE  SIGNATURE OF ATTORNEY OF RECORD  FOR OFFICE USE ONLY						
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE						